

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANTHONY BROWN,

Plaintiff,

-against-

NEW YORK CITY & DEPT OF
CORRECTION OF NYC,

Defendants.

23-CV-5758 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated March 13, 2024, the Court directed Plaintiff, within thirty days, to provide the court with an updated address and specified that failure to comply would result in dismissal of the complaint. The Court directed the Clerk's Office to mail the order to Anthony Brown, B & C number 2412301011, George R. Vierno Center, 09-09 Hazen Street, E. Elmhurst, New York 11370, The Clerk's Office, however, mailed the March 13, 2024 order to the outdated address, and on April 3, 2024, the order was returned to the court with the following notations, "Return to Sender, Not Deliverable as Addressed, Unable to Forward, Need Book & Case to identify, RTS."

On April 5, 2024, the order was remailed as directed in the Court's March 13, 2024 order, and that order has not been returned to the court. Plaintiff has not notified the court of a change of mailing address, however, and has not initiated any further contact with the court, written or otherwise. Accordingly, the complaint is dismissed without prejudice.

CONCLUSION

Plaintiff's complaint is dismissed without prejudice.

The Clerk of Court is directed to mail a copy of this order to Anthony Brown, B & C number 2412301011, George R. Vierno Center, 09-09 Hazen Street, E. Elmhurst, New York 11370, and to update the ECF system with this address.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppededge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Court directs the Clerk of Court to enter judgment.

SO ORDERED.

Dated: May 21, 2024
New York, New York

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge